

Attachment to Independent Case Review Report
For CDRU # 124 Case file # 95-262888.

Material Examiner: Malone (RQ)

Remarks:

Case resulted in trial, transcript not provided.

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Steve Robertson

Area(s) of Expertise: Hair and Fiber

Review commenced at: 9:15 AM (Time), 11/14/00 (Date)

File #: 95-262888

Laboratory #(s): 40827037

4082051

Examiner(s) & Symbols

	Reviewed	Not Reviewed	Reviewed	Not Reviewed
RQ	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WS	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Materials Reviewed

Trial testimony transcript(s) of: _____

Testimony Date(s): _____ Pages: _____

Laboratory Report(s):

Laboratory Number: 40827037 Date: Jan 28, 1985

Laboratory Number: 40827037, 40828051 Date: Feb 11, 1985

Laboratory Number: _____ Date: _____

Examiner Bench Notes of: RQ

Laboratory Number: 40827037

40828051

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Initials: SR

Was any other material reviewed? ☒ Yes ☐ No

If yes, please identify and/or describe the material: Submitting agency letters of 8/21/84 and 8/21/84

Results of Review

File #: 95-262888 Item or Specimen # Reviewed: Q4, Q10, Q13, Q22, Q23, Q30,

Q38, Q43, Q51, Q53, Q63, Q67, Q70, Q77, Q79, Q89, K3, K6, K9, K12, K16, K18, K19

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
☐ Yes ☒ No ☐ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
☐ Yes ☒ No ☐ Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☒ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☐ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☐ No ☐ Unable to Determine

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #: 95-262888

#1. The examiner failed to compare the pubic hair recovered from the victim's panties (Q70, Q79) and from the victim's pubic combings (Q77) to the victim's known pubic hair (K16). The notes indicate the pubic hair were compared to the suspect's head hair (K18) instead of the suspect's pubic hair (K19).

There is no documentation concerning the tests used to identify the twine (Q64, Q65, Q93) as being made of flax. The lack of this documentation is scientifically unacceptable.

#2. The results are not adequately documented in the notes. The notes are not dated, are in pencil and not ink and use abbreviations that are difficult to interpret (such as "M- lt dist, lt indist, dk dist" and "cut-ssp" to describe some of the characteristics of the hair).

The reported result of the twine being composed of flax is not supported or adequately documented in the notes.

Review completed at: 10:30 AM (Time), 11 / 14 / 2000 (Date)

Total time spent conducting review (to nearest 1/4 hour): 1.25 hour

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 4 pages.

Steve Roberts
(Signature)

11-14-2000
(Date)

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Initials: *SR*

Additional Comments

File #: 95-262888

#2 (continued). There is insufficient documentation that lead to the reported conclusion that the Q92 and Q93 twine samples are different to the other twine samples.

Initials: SM